

Notice of Allowability

Application No.

10/633,517

Examiner

Yelena G. Gakh, Ph.D.

Applicant(s)

BEVAN ET AL.

Art Unit

1743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview of 04/01/04.
2. ☒ The allowed claim(s) is/are 1-5 and 13-24.
3. ☒ The drawings filed on 05 August 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 08/05/03, 12/09/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 04/01/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Yelena Gakh

DETAILED ACTION

1. The Application is a divisional of the US Application No. 09486715, filed 05/24/2000. Preliminary Amendment filed 08/05/03 is acknowledged. Claims 6-12 are cancelled without prejudice. Claims 1-5 and 13-15 are pending in the application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard E. Fichter on 04/01/04.

The application has been amended as follows:

Title (Amended): "Analytical method and apparatus therefor involving continuous titration".

Abstract (Amended): The present invention relates to an improved analytical method and apparatus therefor, in particular to a method and apparatus for continuous titration in which at least one parameter of at least one compound in a test mixture may be monitored as the composition of the mixture is continuously varied. The method comprises the steps of continuously mixing at least two component fluid streams to form a test mixture stream and passing the test mixture stream through a spectrophotometric detection zone, with the volume to volume ratio of at least two of the component streams forming the test mixture stream continuously and linearly varied with time by alteration of the relative proportions of the component streams forming the test mixture, while the total volume of the test mixture stream remains constant.

In **claim 1**, line 6: change [tat] to -- that --;

line 8: change [tie] to -- time --;

Art Unit: 1743

In **claim 3**, at the end of the claim add: -- by alteration of the relative proportions of the component streams forming the test mixture, whilst the total volume of the test mixture stream remains constant --.

Add new claims **16-24**:

16 (New). A method according to claim 1 wherein the spectrophotometric detection zone comprises a multiwavelength spectrophotometric detector.

17 (New). A method according to claim 16 wherein the spectrophotometric detector is an ultraviolet or visible range spectrophotometer, a fluorimeter, a polarimeter, a colourimeter, or a light scattering, optical rotation or circular dichroism detector.

18 (New). A method according to claim 17, wherein the spectrophotometric detector is a scanning ultraviolet or visible range spectrophotometer.

19 (New). A method according to claim 2 wherein the spectrophotometric detection zone comprises a multiwavelength spectrophotometric detector.

20 (New). A method according to claim 19 wherein the spectrophotometric detector is an ultraviolet or visible range spectrophotometer, a fluorimeter, a polarimeter, a colourimeter, or a light scattering, optical rotation or circular dichroism detector.

21 (New). A method according to claim 20, wherein the spectrophotometric detector is a scanning ultraviolet or visible range spectrophotometer.

22 (New). A method according to claim 3, wherein the spectrophotometric detection zone comprises a multiwavelength spectrophotometric detector.

23 (New). A method according to claim 22 wherein the spectrophotometric detector is an ultraviolet or visible range spectrophotometer, a fluorimeter, a polarimeter, a colourimeter, or a light scattering, optical rotation or circular dichroism detector.

24 (New). A method according to claim 23, wherein the spectrophotometric detector is a scanning ultraviolet or visible range spectrophotometer.

The following is an examiner's statement of reasons for allowance: the prior art of Surjaatmadja applied in the rejection of the apparatus claims in the parent case, the prior art of IDS, or numerous references on the method of "triangle flow titration" (see e.g. Nagy, Anal.

Art Unit: 1743

Chem., 1977) or calibration based on concentration gradients (Araujo et al., J. Autom. Chem., 1997), do not teach or fairly suggest a method of continuous titration with continuous mixing of at least two component streams, wherein said "stream is continuously and linearly varied with time by alteration of the relative proportions of the component streams forming the test mixture, whilst the total volume of the test mixture stream remains constant".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yelena G. Gakh, Ph.D. whose telephone number is (571) 272-1257. The examiner can normally be reached on 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill A. Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yelena G. Gakh

4/1/04

A handwritten signature in cursive script, appearing to read "Yelena Gakh", is positioned to the right of the typed name and date.